

OCT 07 2005

500.38891VV2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: H. NAKAMOTO, et al.  
Application No.: 10/092,565  
Filed: MARCH 8, 2002  
For: PROCESS FOR CONTINUOUSLY PRODUCING  
POLYBUTYLENE TEREPHTHALATE  
Group AU: 1764  
Examiner: N. Bhat  
Confirm. No.: 2806

**TERMINAL DISCLAIMER**

Mail Stop: AMEND - FEE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

October 7, 2005

Sir:

Petitioner, Hitachi, Ltd., having its place of business at 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo 100, Japan, represents that it is the sole owner of the entire interest of U.S. Application No. 10/092,565, filed March 8, 2002, for PROCESS FOR CONTINUOUSLY PRODUCING POLYBUTYLENE TEREPHTHALATE, and that the Assignment of all rights in connection therewith has been recorded at Reel 011433, Frame 0108.

Petitioner hereby disclaims all that portion of the term of any patent to be issued on the above-identified application subsequent to the expiration date of the full statutory term, defined in 35 USC 154 to 156 and 173, of U.S. Patent No. 6,458,916, issued October 1, 2002; and hereby agrees that any patent issued on the above-identified application shall be enforceable only for and during such time as said U.S. Patent No. 6,458,916 and the above-identified application are commonly owned, only for and during such time as U.S. Patent No. 6,590,062, issued

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July 8, 2003, and the above-identified application are commonly owned, and only for and during such time as U.S. Patent No. 6,723,826, Issued April 20, 2004, and the above-identified application are commonly owned. .

Petitioner, however, does not disclaim the terminal part of any patent granted on the instant application prior to the expiration date of the full statutory term, defined in 35 USC 154 to 156 and 173, of the above-listed U.S. Patent No. 6,458,916 in the event that U.S. Patent No. 6,458,916 expires: for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is otherwise terminated prior to expiration of the above-referred-to full statutory term, except for the separation of legal title as stated above.

This disclaimer is to be binding with respect to any patent granted on the above-identified application, and is binding upon grantees, their successors, or assignees of any interests.

The undersigned is an attorney of record in this application and is empowered to act on behalf of Hitachi Ltd. for execution and submission of Terminal Disclaimers, in accordance with the provisions of 37 CFR 1.321(b) and (c), effective January 4, 1994.

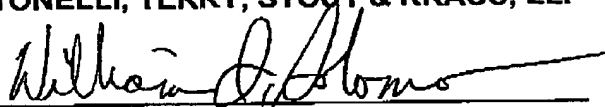
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The undersigned hereby declares that all statements made herein of his knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

**ANTONELLI, TERRY, STOUT & KRAUS, LLP**

By



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